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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/291,066	04/14/1999	MASAHITO NIKAWA	032567-009	1637

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BURNS DOANE SWECKER & MATHIS L L P
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER

HANNETT, JAMES M

ART UNIT PAPER NUMBER

2612

DATE MAILED: 12/24/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/291,066

Applicant(s)

NIIKAWA, MASAHIRO

Examiner

James M Hannett

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: A photographing apparatus capable of connecting to a network and E-Mailing image files to computers connected to the network.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by US-PGPUB US 2001/0019359 A1 Parulski et al.

As for Claim 1, Parulski et al teaches in the abstract the use of a electronic still camera connectable to a network to which several image processing apparatuses are connected via cables or by wireless. Parulski et al teaches on Column 3, Lines 4-6 a digital camera comprising an internal communications interface for connecting the camera to a network. Parulski et al teaches in Paragraphs [0021 and 0023] the use of a liquid crystal display (LCD screen) for displaying images and other information. Parulski et al teaches that a user can review the images on the LCD screen and then select the desired "downstream services" such as printing or E-Mail. Parulski et al teaches in the abstract that the camera includes a user interface for selecting at least

one e-mail address. Therefore, the operation of selecting an available e-mail address or another available network service on the LCD screen constitutes displaying of the network structure. Parulski et al teaches in Paragraph [0021] the use of a microprocessor or (operation unit) that controls the operation of the camera and interchanges data through the communications interface and a communications network, therefore allowing data taken by the camera to be processed on the network.

In regards to Claim 2, Parulski et al teaches in Paragraph [0027] that the digital camera can transmit images to others. Parulski et al teaches that the user selects the images and the persons who will receive them, from the group of addresses loaded into the camera.

In regards to Claim 3, Parulski et al teaches in Paragraph [0026] that the camera is capable of causing a printer connected to the network to print out the image data taken by the digital camera.

As for Claim 4, Parulski et al teaches in the abstract the use of an electronic still camera connectable to a network to which several image-processing apparatuses are connected via cables or by wireless. Parulski et al teaches on Column 3, Lines 4-6 a digital camera comprising an internal communications interface for connecting the camera to a network. Parulski et al teaches in Paragraphs [0021 and 0023] the use of a liquid crystal display (LCD screen) for displaying images and other information. Parulski et al teaches that a user can review the images on the LCD screen and then select the desired "downstream services" such as printing or E-Mail. Parulski et al teaches in the abstract that the camera includes a user interface for selecting at least one e-mail address. Therefore, the operation of selecting an available e-mail address or another available network service on the LCD screen constitutes displaying of the network structure.

Parulski et al teaches in Paragraph [0021] the use of a microprocessor or (operation unit) that controls the operation of the camera and interchanges data through the communications interface and a communications network. Therefore, the image data is sent to a users PC from the Digital camera under control of the operation unit. This causes the E-Mail programs in the computers connected to the network to execute and receive the sent E-Mail.

As for Claim 5, Parulski et al teaches in paragraph [0023] that the digital camera can employ a desired downstream service that is an e-mail program.

In regards to Claim 6, Claim 6 is rejected for reasons discussed related to Claim 1, Since Claim 1 is substantively equivalent to Claim 6.

In regards to Claim 7, Claim 7 is rejected for reasons discussed related to Claim 2, Since Claim 2 is substantively equivalent to Claim 7.

As for Claim 8, Claim 8 is rejected for reasons discussed related to Claim 3, Since Claim 3 is substantively equivalent to Claim 8.

As for Claim 9, Claim 9 is rejected for reasons discussed related to Claim 4, Since Claim 4 is substantively equivalent to Claim 9.

In regards to Claim 10, Claim 10 is rejected for reasons discussed related to Claim 5, Since Claim 5 is substantively equivalent to Claim 10.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US-PGPUB US 2001/0010543 A1 Ward et al.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-842-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is 703-308-6789.

James Hannett
Examiner
Art Unit 2612

JMH
December 3, 2002


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600